

REMARKS

Claims 1 through 11 are now pending. In response to the non-final Office Action, dated November 14, 2005, the specification claims 1 and 7 through 9 have been amended, new claim 11 has been added, and the abstract has been replaced. Care has been taken to avoid adding new subject matter. A petition for one month extension of the period for response, with appropriate fee charge authorization, is submitted in a separate paper. Favorable reconsideration of the application is respectfully solicited.

Objection has been made to the abstract. In response, the abstract has been shortened and corrections made as suggested and required in the Office Action.

Objection has been made to the specification for the presence of identified minor errors. In response, the specification has been reviewed and the identified errors and others have been corrected by amendment.

Claims 1, 2, 4 and 5 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. patent 6,762,880 (Holm). Claim 3 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Holm. In response, claim 1 has been amended to recite, *inter alia*, the following:

a first medium having a refractive index of n_1 and a thickness of $5 \mu m$ or more;

a second medium arranged so as to be in contact with said first medium, said second medium having a refractive index of n_2 lower than that of said first medium and a thickness of $5 \mu m$ or more;

a diffraction grating provided at the interface between said first medium and said second medium;

a first anti-reflection film provided on a surface of said first medium so as to sandwich said first medium together with said second medium; and

a second anti-reflection film provided on a surface of said second medium so as to sandwich said second medium together with said first medium

As defined in the amended claim 1, each of the first and second materials has a thickness of 5 μm or more, and the first and second anti-reflection films are respectively provided such that the first and second materials are positioned therebetween. It is desirable to make each thickness of the first and second materials small because these materials are formed by vapor deposition, etc. On the other hand, in order to obtain a sufficient reflection-preventing effect, it is necessary that thickness of the first and second materials be 5 μm or more. Holm does not teach or suggest the necessity for increasing the thickness of the first and second materials. Claims 1 through 5, therefore, are not met by Holm under 35 U.S.C. §§ 102 and 103. Withdrawal of the rejections are respectfully solicited.

Claims 6 through 10 were rejected under 35 U.S.C. § 103 as being unpatentable over Holm in view of U.S. patent 6,747,799 (Fabiny). Fabiny has been relied upon for concluding that it would have been obvious to utilize the diffraction grating of Holm in a module for multiplexing and demultiplexing an optical signal. The rejection, insofar as it may be applied to the current presentation of claims 6 through 10, is respectfully traversed.

Claims 7 through 10 are now dependent from new claim 11 which, in turn, is dependent from amended claim 1. Claim 11 thus requires the anti-reflection film thickness requirements of claim 1 as well as requiring additional material features. Fabiny has not been relied upon for disclosure relevant to the recitation of parent claim 1. It is submitted that the teachings of Holm and Fabiny, taken individually or in combination, would not have suggested the invention recited in claims 6 through 11.

Accordingly, allowance of the application is respectfully solicited. To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please

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charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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